



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	EXECUTIVE – 8 FEBRUARY 2023
Subject	LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY
Wards affected	ALL
Accountable member	Councillor Carl Rylett, Executive Member for Planning and Sustainable Development Email: carl.rylett@westoxon.gov.uk
Accountable officer	Chris Hargraves, Planning Policy Manager Tel: 01993 861686; Email: Chris.Hargraves@westoxon.gov.uk
Summary/Purpose	To consider and agree a response to the Government's proposed changes to national planning policy.
Annex	Annex A – Summary Overview of Proposed Changes Annex B – Draft Consultation Response
Recommendation	That the Executive resolves to: <i>a) Note the content of the report including the summary overview of proposed changes attached at Annex A; and</i> <i>b) Agree that the draft response attached at Annex B be submitted as the District Council's formal response to the consultation</i>
Corporate priorities	A number of the measures outlined in the consultation are aligned with the Council Plan (2023 – 2027) including the provision of supporting infrastructure, nature recovery, climate mitigation and adaptation and the provision of affordable homes.
Key Decision	No
Exempt	No
Consultees/ Consultation	The Government is consulting on a number of proposed changes to national planning policy to support the emerging Levelling-up and Regeneration Bill. The consultation is running from 22 December 2022 until 3 March 2023. The purpose of this report is to agree the District Council's response to the consultation.

I. INTRODUCTION

- 1.1. The Government is consulting on a number of proposed changes to national planning policy to support the emerging Levelling Up and Regeneration Bill.
- 1.2. The purpose of this report is to provide an overview of the proposed changes and to agree the Council's response to the consultation which runs until 2 March 2023.

2. BACKGROUND

- 2.1. Members will be aware that the Government is committed to levelling up across the country with a [Levelling Up White Paper](#) published in February 2022 and the Levelling-up and Regeneration Bill currently working its way through parliament.
- 2.2. Key aspects of the levelling up agenda include:
 - Building more homes to increase home ownership;
 - Empowering communities to make better places;
 - Restoring local pride and regenerating towns and cities;
 - Giving communities a stronger say over where homes are built and what they look like;
 - Creating a genuinely plan-led system with a stronger voice for communities;
 - Ensuring greater provision of community infrastructure by developers;
 - Mandating that beautiful new development meets clear design standards that reflect community views; and
 - Enhancing protections for environmental and heritage assets
- 2.3. To support these objectives the Government is proposing a number of changes to national planning policy some of which will be made in the short term i.e. spring 2023, with others to be introduced at a later date following further consultation and/or when the Levelling Up and Regeneration Bill is enacted.

3. SUMMARY OVERVIEW OF THE PROPOSED CHANGES

- 3.1. The potential policy changes outlined in the consultation document are numerous and deal with a broad range of topics including housing, the environment, plan-making, decision-taking and design.
- 3.2. For ease of reference, attached at Annex A is a schedule which provides a summary overview of each proposed change and when they are expected to be introduced.
- 3.3. The headline changes of particular significance are outlined below.

Housing

- Councils with an up to date local plan (i.e. less than 5-years old) will not have to demonstrate a 5-year housing land supply. In addition, any such supply calculation will no longer need to include a buffer and Councils will be able to take account of any past 'over-supply' as well as under-supply;
- The Government's housing delivery test (HDT) will be amended to take account of permissions granted as well as completions;
- The standard method for assessing housing need will be retained but redefined as an advisory starting point i.e. not mandatory with increased clarity to be provided on how Councils can take local constraints into account when setting a housing

requirement and can choose to plan above the standard method where they wish to;

- Increased emphasis on the provision of social rented homes, homes for older people, community-led development and the provision of small sites, particularly in urban areas;
- Additional measures to be introduced to speed up housing delivery by developers; and
- Increased emphasis on building upwards in urban areas with specific reference to mansard roofs.

Neighbourhood Planning

- Areas with an adopted Neighbourhood Plan to be better protected from the 'tilted balance' of the NPPF.

The Environment

- Measures to be introduced to prevent developers clearing sites prior to submitting applications to justify any biodiversity net gain;
- Increased emphasis on the best and most versatile agricultural land being taken into account when deciding sites for development;
- Planning policy development to potentially incorporate carbon assessment;
- Increased flexibility regarding the re-powering of existing renewable and low carbon energy sources;
- Councils to be given more flexibility to respond to the views of local communities in relation to onshore wind proposals;
- Increased emphasis on the importance of energy efficiency through the adaptation of buildings; and
- Increased emphasis on local nature recovery and climate change adaptation including in relation to overheating and water scarcity (e.g. through the provision of green infrastructure).

Plan-Making

- Tests of soundness to be simplified – plans no longer need to be justified (note: this will not apply to plans which have already been submitted or have reached the Regulation 19 within 3 months of the change coming into effect);
- The duty to co-operate is to remain in place for now but will in due course be replaced by an as yet undefined 'alignment policy';
- Significant plan-making reforms are to come into effect from late 2024 although plans submitted by June 2025 will be considered under the existing framework meaning that existing legal requirements and duties such as the Duty to Cooperate, will still apply; and
- From late 2024 onwards, Councils will no longer be able to prepare supplementary planning documents (SPDs). Instead, they will be able to prepare Supplementary Plans, which will be afforded the same weight as a local plan.

Decision-Taking

- The past 'behaviour' of an applicant to potentially be taken into account as a material planning consideration;
- 'In principle' views sought on the introduction of new *national development management policies* which would carry the same weight in certain planning decisions as policies in local plans;
- These national policies would cover planning considerations that apply regularly in decision-making such as general policies for conserving heritage assets, and preventing inappropriate development in the Green Belt and areas of high flood risk;
- This would allow local plans to focus on locally specific issues but importantly, such national policies would take precedence over a local plan where there is conflict.

Design

- Increased emphasis on the use of local design codes and the role of beauty and place-making.

Accessibility

- National policy to be made more accessible and interactive in line with the Government's digital agenda.

4. SUGGESTED CONSULTATION RESPONSE

- 4.1. The consultation comprises 58 separate questions. Attached at Annex B is a suggested draft response to each of these, which, subject to the agreement of Members, will be submitted before the 2 March deadline.

5. LEGAL IMPLICATIONS

- 5.1. The report raises no direct legal implications.

6. RISK ASSESSMENT

- 6.1. The report raises no specific risks.

7. EQUALITIES IMPACT

- 7.1. The report raises no specific implications in respect of equality. As part of the consultation, the Government is inviting views on any potential impacts on protected groups under the Public Sector Equality Duty.

8. CLIMATE CHANGE IMPLICATIONS

- 8.1. The report raises no specific implications although the proposed national policy changes are intended to increase national policy emphasis on climate change mitigation and adaptation.

9. ALTERNATIVE OPTIONS

- 9.1. The Council could choose not to respond to the consultation.

10. BACKGROUND PAPERS

- 10.1. None.